

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LeKENDRICK LAWUN MURPHY,

Plaintiff,

vs.

Civil Action No.
08-CV-14142

KIDS CLUB PROGRAM, et al.,

HON. BERNARD A. FRIEDMAN

Defendants.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION AND DISMISSING COMPLAINT**

This matter is presently before the Court on Magistrate Judge Michael Hluchaniuk's Report and Recommendation ("R&R") dated December 4, 2008. In his R&R, Magistrate Judge Hluchaniuk recommends that Plaintiff's Complaint be dismissed for failure to state a claim on which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2) and for lack of subject matter jurisdiction. Plaintiff has not filed objections to the Magistrate Judge's R&R and the time to do so has expired.

The Court has had the opportunity to fully review this matter. The Court finds that Magistrate Judge Hluchaniuk correctly and thoroughly analyzed the issues presented and that he reached the proper conclusions for the proper reasons. Therefore, the Court will accept and adopt the Magistrate Judge's R&R as the findings and conclusions of the Court. Accordingly,

IT IS ORDERED that the Magistrate Judge's R&R of December 4, 2008, is accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Plaintiff's Complaint is dismissed for failure to state a claim under 28 U.S.C. § 1915(e)(2) and for lack of subject matter jurisdiction. *See* FED. R. Civ. P. 12(h)(3).

Dated: January 7, 2009
Detroit, Michigan

_____/s/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon counsel of record by electronic and/or first-class mail.

S/Carol Mullins
Case Manager to Chief Judge Friedman